



Rep. Naomi D. Jakobsson

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09600HB4936ham001

LRB096 16569 JDS 38747 a

1 AMENDMENT TO HOUSE BILL 4936

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4936 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Fertilizer Act of 1961 is amended  
5 by changing Section 3 as follows:

6 (505 ILCS 80/3) (from Ch. 5, par. 55.3)

7 Sec. 3. Definitions of words and terms. When used in this  
8 Act unless the ~~the~~ context otherwise requires:

9 (a) The term "fertilizer material" means any substance  
10 containing nitrogen, phosphorus, potash or any other  
11 recognized plant nutrient element or compound which is used  
12 primarily for its plant nutrient content or for compounding  
13 mixed fertilizers except unmanipulated animal and vegetable  
14 manures.

15 (b) The term "mixed fertilizer" means any combination or  
16 mixture of fertilizer materials designed for use or claimed to

1 have value in promoting plant growth.

2 (c) The term "commercial fertilizer" means mixed  
3 fertilizer and/or fertilizer materials except the following  
4 natural products: agricultural limestone, marl, sea solids and  
5 unprocessed animal manure, which have not been manipulated so  
6 as to alter or change them chemically and burnt or hydrated  
7 lime, and sewage sludge produced by any sanitary district shall  
8 not be subject to the provisions of this Act. Such term does  
9 not include "custom mixes" as defined herein.

10 (d) The term "anhydrous ammonia" means the compound formed  
11 by the combination of two gaseous elements, nitrogen and  
12 hydrogen, in the proportion of one part of nitrogen to three  
13 parts of hydrogen (NH<sub>3</sub>) by volume. Anhydrous ammonia is a  
14 commercial fertilizer of ammonia gas in compressed and  
15 liquified form. It is not aqueous ammonia which is a solution  
16 of ammonia gas in water and which is considered a low pressure  
17 nitrogen solution.

18 (e) The term "specialty fertilizer" means a commercial  
19 fertilizer distributed primarily for nonfarm use, such as home  
20 gardens, lawns, shrubbery, flowers, golf courses, municipal  
21 parks, cemeteries, green houses and nurseries, and may include  
22 commercial fertilizer used for research or experimental  
23 purposes.

24 (f) The term "bulk fertilizers" means commercial  
25 fertilizer or custom mix distributed in a non-packaged form.

26 (g) The term "custom mix" means a mixture of 2 or more

1 commercial fertilizers mixed at time of shipment to the  
2 specific order of the consumer.

3 (h) The term "custom mixer" means a person who produces and  
4 sells custom mixes.

5 (i) The term "brand" means a term, design, or trade mark  
6 used in connection with one or several grades of commercial  
7 fertilizers.

8 (j) The term "guaranteed analysis" means the minimum  
9 percentages of plant nutrients claimed in the following order  
10 and form:

- 11 A. Total Nitrogen (N) ..... %
- 12 Available Phosphoric Acid (P2O5) ..... %
- 13 Soluble Potash (K2O) ..... %

14 B. For unacidulated mineral phosphatic materials and basic  
15 slag, both total and available phosphoric acid and the degree  
16 of fineness. For bone, tankage, and other organic phosphatic  
17 materials, total phosphoric acid.

18 C. Additional plant nutrients expressed as the elements,  
19 when permitted by regulation.

20 D. Potential basicity or acidity expressed in terms of  
21 calcium carbonate equivalent in multiples of 100 pounds per  
22 ton, when required by regulation.

23 (k) The term "grade" means the minimum percentage of total  
24 nitrogen, available phosphoric acid (P2O5) and soluble potash  
25 (K2O) stated in the order given in this definition.

26 (l) The term "official sample" means any sample of

1 commercial fertilizer or custom mix taken by the Director or  
2 his agent and designated as "official" by the Director.

3 (m) The term "ton" means a net weight of 2000 pounds  
4 avoirdupois.

5 (n) The term "per cent" or "percentage" means the  
6 percentage by weight.

7 (o) The term "person" means any individual, partnership,  
8 association, firm and corporation.

9 (p) The term "distribute" means to offer for sale, sell,  
10 barter, store, handle, transport or otherwise supply  
11 commercial fertilizers or custom mix. The term "distributor"  
12 means any person who distributes.

13 (q) Words importing the singular number may extend and be  
14 applied to several persons or things and words importing the  
15 plural number may include the singular.

16 (r) The term "registrant" means the person who registers  
17 commercial fertilizer or custom mix under the provisions of  
18 this Act.

19 (s) The term "nitrogen solution" means a low pressure  
20 solution containing 2 per cent or more by weight of free  
21 ammonia and/or having vapor pressure of 5 pounds or more per  
22 square inch gauge at 104° F.

23 (t) The term "Department" means the Illinois Department of  
24 Agriculture.

25 (u) The term "Director" means the Director of the Illinois  
26 Department of Agriculture or a duly authorized representative.

1 (Source: P.A. 83-586.)".